

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 282/MP/2021 along with IA No. 61/2022

Subject : Petition under Section 79(1) (b), Section 79 (1)(f) and Section 79 (1)(k) of the Electricity Act 2003, read with Articles 11.5.3,11.5.4,12.1, 24.3 and 24.4 of the Pilot Agreement for Procurement of Power (PAPP) dated 26.10.2018 executed between the Petitioner (RKM) and the Respondent (PTC) seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; (iii) additional interest; and for furnishing of Letter of Credit as payment security mechanism.

Petitioner : RKM Powergen Private Limited (RKMPPL)

Respondents : PTC India Limited (PTCIL) and Ors.

Petition No. 141/MP/2022

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with the Pilot Power Supply Agreement (PPSA) dated 27.10.2018 executed between the Petitioner and the Telangana Discoms for supply of 550 MW of power from the power plant of Respondent No.4/RKM Powergen, seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; and (iii) furnishing Letter of Credit as per the PPSA.

Petitioner : PTC India Limited (PTCIL)

Respondents : Telangana State Power Coordination Committee and Ors.

Date of Hearing : **18.8.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Hemant Singh, Advocate, RKMPPL
Ms. Supriya Rastogi Agarwal, Advocate, RKMPPL
Ms. Alchi Thapliyal, Advocate, RKMPPL
Shri Akshat Shrivastava, Advocate, CSPDCL
Shri Alok Kumar, Advocate, CSPDCL

Shri Ravi Kishore, Advocate, PTCIL
Shri Keshav Singh, Advocate, PTCIL
Ms. Deepti Dash, Advocate, PTCIL
Shri D. Abhinav Rao, Advocate, Telangana Discoms
Shri Abhishek Das, Advocate, Telangana Discoms

Record of Proceedings

At the outset, the learned counsel for the Petitioner, RKMPPL, in Petition No. 282/MP/2021, submitted that since the Respondent, PTCIL, has already paid the principal amount towards the monthly bills, only the LPS amount remains outstanding. The learned counsel submitted that pursuant to the directions issued vide the Record of Proceedings dated 16.7.2026, PTCIL has also filed its compliance affidavit, while pointing out several discrepancies in the LPS calculations of Telangana Discoms. Nevertheless, since the Telangana Discoms have admitted their liability of LPS to the extent of Rs. 62.83 crore in their affidavit dated 12.08.2025, they ought to be directed to pay such amount forthwith. Learned counsel further submitted that apart from the LPS, there is also a dispute over the deduction of approx. Rs. 24.25 lakh (principal) alleging the short supply and diversion of power by the Petitioner. However, this aspect has already been addressed and clarified by the Petitioner in its affidavits.

2. The learned counsel for PTCIL submitted that the total LPS amount receivable from Telangana Discoms works out to Rs. 98.33 crore (up to 30.6.2026). The learned counsel submitted that the Telangana Discoms' calculation of LPS is not in accordance with the provisions of the agreement/ PPSA, since (i) they have done compounding on 90 days basis instead of a quarterly rest basis, i.e., March, June, September and December, as specifically stipulated in the PPSA, (ii) no compounding has been done for the power supplied for the months of February 2020 and March 2020, and (iii) the compounding has been done only up to the date till the bill was paid whereas the surcharge was not paid. As the surcharge/ LPS was paid subsequently, compounding of the surcharge/ LPS ought to have been done only up to the surcharge/ LPS was actually paid. Learned counsel further submitted that the deduction of Rs. 24.25 lakh by the Telangana Discoms towards compensation under Articles 10.2.3 and 10.2.4 of PPAS was also erroneous, and that RKMPPL has already filed its affidavit addressing this aspect. In any case, PTCIL, being the trading licensee, has no role in the declaration of availability by the generating station/ RKMPPL, and the learned counsel also placed reliance on the APTEL's judgment dated 15.7.2026 in Appeal No. 45 of 2018 in this regard.

3. The learned counsel for the Respondent, Telangana Discoms, sought liberty to file an additional affidavit in the matter indicating the details relating to the third-party sales of power carried out by the Petitioner/RKMPPL. Learned counsel further submitted that this aspect will also have a bearing on the LPS amounts payable.

4. In response, the learned counsel for both RKMPPL and PTCIL strongly opposed such request to bring on record new documents at this stage of the proceedings. The learned counsel submitted that the Telangana Discoms already had ample opportunities

to do so, which they failed to avail. The Telangana Discoms cannot be permitted to raise fresh claims/seek reliefs in these proceedings, particularly when they have not made any counter-claims. The learned counsels, accordingly, urged that the Telangana Discoms be directed to pay at least the admitted LPS amount of Rs. 62.83 crore.

5. Considering the above submissions, and in light of the Telangana Discoms' clear admission of an outstanding LPS liability under the PPSA to the tune of Rs. 62.83 crore in their affidavit dated 8.12.2025, the Commission directed the Telangana Discoms to pay the said amount within a period of two weeks. Needless to add, such payment shall be subject to the outcome of these matters. The Commission also permitted the Telangana Discoms to file their additional affidavit as above, within three weeks with a copy to the other side, who may file their responses, if any, within two weeks thereafter.

6. The Petitions will be listed for the hearing on **22.10.2026**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)